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THE DUTY OF DISOBEDIENCE TO WICKED LAWS.

A Sermon

ON THE

FUGITIVE SLAVE LAW.

BY

CHARLES BEECHER, 1815-1900

NEWARK, N. J.

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NEWARK, November 18, 1850.

REV. CHARLES BEECHER, Newark:

DEAR SIR,—At a meeting of the members of the Free Presbyterian Church of this city, the undersigned were appointed a Committee, to request a copy of your Sermon on the Fugitive Slave Law, delivered in said Church on Sabbath evening last. By complying with this request, you will oblige us, and, we trust, do an acceptable and valuable service to this community.

Very respectfully yours.

L. V. JOHNSON,
JAMES PIERSON,
THOMAS LAFON.

DEAR BRETHREN—I have not been able earlier to prepare my manuscripts for the press. They are now at your service; and if their publication can in any degree influence public sentiment in favor of truth and righteousness, I shall rejoice.

Yours truly,

CHARLES BEECHER.

To Messrs. L. V. JOHNSON, JAMES PIERSON, THOMAS LAFON.

The Duty of Disobedience to Wicked Laws.

DANIEL vi, 5-10; ACTS v. 28, 29.

"Then said these men, We shall not find any occasion against this Daniel, except we find it against him concerning the law of his God. Then these presidents and princes assembled together to the king, and said thus unto him, King Darius, live for ever. All the presidents of the kingdom, the governors, and the princes, the counsellors, and the captains, have consulted together to establish a royal statute, and to make a firm decree, that whosoever shall ask a petition of any god or man for thirty days, save of thee, O king, he shall be cast into the den of lions. Now, O king, establish the decree, and sign the writing, that it be not changed, according to the law of the Medes and Persians, which altereth not. Wherefore king Darius signed the writing and the decree. Now when Daniel knew that the writing was signed, he went into his house; and his windows being open in his chamber toward Jerusalem, he kneeled upon his knees three times a-day, and prayed, and gave thanks before his God, as he did aforetime."

"Did not we straitly command you, that ye should not teach in this name? and, behold, ye have filled Jerusalem with your doctrine, and intend to bring this man's blood upon us. Then Peter and the other apostles answered and said, We ought to obey God rather than men."

THERE is to be a day of judgment—a day when God will reveal his righteous judgment concerning all deeds done in the body. In that review no part of human conduct will be exempt from scrutiny. The public as well as the private acts of every man will undergo impartial examination. Nor will the acts of individuals, only, be considered. The acts of organic bodies of men constitute a very large part of all history, and must be judged. The acts of nations, governments, and all authorities will be diligently examined; and especially the *laws* which were by different nations passed, accepted, obeyed.

If this be true, it is perfectly proper to anticipate the verdict. It is highly expedient to consider every *law* of every State in the light of a coming judgment, and to ask how it will then appear. [My object to-night will be to take such a view of the late Fugitive Slave Law, passed by the

Congress of these United States, and approved by the President. I wish to inquire how that law will look when examined before the bar of God. I wish to ask how the men that made it, the men that execute, the citizens that obey, and the nation that tolerates that law, will look when they stand before the judgment seat.] And,

1. I observe that laws are to be judged of by certain principles of natural right, and by those same principles as more clearly evolved in the gospel—that gospel, I mean, which was preached before Moses, as well as after. (Gal. iii. 8.)

These principles of right are eternal, not made. They are the foundation of law, not its product. The law of God is his declaration of what is from eternity, and must be *right*—not his arbitrary decision of what shall be right. Neither is it in the power of God himself (with reverence be it spoken) to repeal those principles, nor by a law to make anything right which was wrong intrinsically before, or wrong which was right before. To say that things are right only because God's will has so decided, is to nullify right; it is to say that might makes right, and that if the devil were omnipotent, malice would be right and benevolence wrong. God's will is always right, and the measure of right in fact; but it is because he perceives omnisciently what is eternally and immutably right, and conforms to his own perceptions, and legislates accordingly.

But if divine legislation does not *make* things right or wrong, still less can human legislation. God's legislation is declaratory of what is absolutely right. Man's legislation is declaratory of what he conceives to be right. Hence human law is nothing but a declaration of the public idea of right; or, at least, it can rise no higher than the public idea. Of course, then, as the public idea of right is obscure and progressive, law must be progressive. Ancient laws are now seen to have been barbarous, not because they had not some elements of right, but because they had some elements of wrong admixed. Hence modern laws continually amend, supersede, or annul laws that are older. And just in proportion as the national intellect and conscience are developed, just in proportion as *man* returns toward the image and likeness of God, will this process of improved legislation be apparent.

Hence the mind of man is destined to be always testing its own legislation by those principles on which God tests it and will render verdict in the judgment. For, in the language of Sir William Blackstone, "The law of nature, being coeval with mankind and dictated by God himself, is of course superior in obligation to any other. It is binding all over the globe, in all countries, at all times; NO HUMAN LAWS ARE OF ANY VALIDITY IF CONTRARY TO THIS; and such of them as are valid derive all their force, and all their validity, mediately or immediately, from this original."

2. In order, then, to test the law under consideration, I shall begin back at the constitutional clause on which it rests :—

“ No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.”—*Const. U. S., Art. 4, Sec. 2.*

IS THIS RIGHT?

If this be right, then any law which means no more than this is right also. If this is wrong, then any law which means as much as this is wrong also. Is it right, then, for a free State to say that an escaping slave shall be delivered up?

This at once raises a question of natural right. Has a *man*, made in God's image, a right to himself greater than another man has to him? Has a man in the interior of Africa a right to himself greater than the right of the slave-trader? Has the slave-trader any right to him after he has bought him? Our Government, by making the slave-trade piracy, say No. But if the slave-trader has no right, how can he sell his right? How can he transfer a claim when he has no claim to transfer? But if so, has the Southern purchaser any right to the man? Can any number of fraudulent sales make a good title? And if the man had a right to run away from the slaver, has he not a right to run away from the slaver's customer? But if the man has this right to himself, and to exercise that right, can a law of Georgia make that right wrong? And still more if he flies to a free State, can a law to deliver him up make it right? Why, then, could not a law make it right to catch him in Africa in the first instance? If it is right by law to recapture him in a free State, and recommit him to slavery, it would be right by law to capture him in Africa in the first place.

Therefore this clause of the Constitution is wrong. It legalizes kidnapping. The legislature pronounces lawful here precisely what it condemns as piracy in Africa.

The deep instinct of every heart pronounces sentence here, as it will in the judgment day. Common sense decides. The slave is a man. He has a right to be free. It is wrong to deliver him up when he has made himself free. And that clause of the Constitution which says, Deliver him up, is wrong. It is unrighteous, and God will so declare it and treat it in the day of judgment.

This intuitive sense of right our fathers felt. In the act of inserting this compromise they knew and confessed that they were doing wrong. They were ashamed of themselves, and apologized for their conduct. They pleaded necessity. They confessed that they sold the truth for money.

They betrayed their full consciousness of doing wrong by *not* saying *slaves*. Thus by euphemism they sought to hide the wrong they had done. "The Northern delegates," said Mr. Iredell afterwards in the North Carolina Convention, "owing to their peculiar scruples on the subject of slavery, did not choose the word *slave* to be mentioned." Vain precaution! The wrong was there, and we are reaping the bitter fruits.

But what common sense teaches, the Bible explicitly confirms:—

"THOU SHALT NOT deliver unto his master the servant which is escaped from his master unto thee: he shall dwell with thee, even among you, in that place which he shall choose, in one of thy gates where it liketh him best; thou shalt not oppress him." (Deut. xxiii. 15, 16.)

Of all glosses, that which would limit this to fugitives from foreign nations seems to me the most perverse, and contrary to common sense. Let any man read the passage. Let him note carefully the context. Let him particularly observe that the enactment stands by itself, among a number of miscellaneous statutes. The one immediately preceding relates to personal cleanliness. The one succeeding relates to licentiousness. There is no reference, not the most distant allusion to the affairs of foreigners. And what right has any man to put in a meaning into these words, to *force* a construction on them, which they do not themselves hint at? Let common people look at the text where it stands and decide for themselves if the reference be not *unlimited* to slaves escaping, whether from Hebrew masters or from any other. Nine hundred and ninety-nine out of a thousand, if they follow their own common sense, will so decide. And they will decide rightly. The Bible is not for professors alone. The Bible is for the people. It is a common-sense book, to be interpreted by common-sense minds in a common-sense way.

Thus interpreted this passage stamps God's own condemnation upon the clause of the Constitution, and that clause, according to Sir William Blackstone, CAN HAVE NO VALIDITY. The compromise by which it was inserted was sinful. It was a wicked deed. All apologies were in vain. And yet, as human legislation is progressive, it is scarcely to be wondered at. The wonder is that our fathers made such advances on the systems they came out of in Europe, not that they did not achieve perfection.

3. But if this clause was sinful in itself at the time of its enactment, it did not grow less, but more sinful by the lapse of time. For time developed the intellect of the nation, and experiment made illustrious the doctrines of liberty, and every year's experience of God's goodness brought the nation to a higher stand-point from which to see and to amend the imperfections of their Constitution. Our fathers had some show of apology in making this compromise. They did wrong, but they meant it to

be only for a little while. There was a general impression that as soon as the slave-trade was abolished slavery would disappear. And when provision was made that Congress should have power after 1808 to prohibit the importation of slaves, it was thought by many a triumph of liberty. Some indeed regretted that the prohibition was not immediate, but the general idea seems to have been that this was virtually a step towards the abolition of slavery.

Said Mr. Wilson in the Pennsylvania Convention, "If there was no other lovely feature in the Constitution but this one, it would diffuse a beauty over its whole countenance. Yet the lapse of a few years, and Congress will have power to exterminate slavery within our borders!" So identified in his mind was the existence of the slave-trade with the existence of slavery, that to prohibit the one was to exterminate the other.

To the same purport is a remarkable expression of General Heath in the Massachusetts Convention: "But whether those in slavery in the Southern States will be emancipated in the year 1808, I do not pretend to determine. *I rather doubt it.*" Now this *doubt*, so cautiously expressed, shows that it was very generally regarded as highly probable, or certain. Nobody *doubts* what nobody expects. Hence we are not surprised that Mr. Dawes in the same Convention should say: "Though slavery is not smitten with an apoplexy, yet it has received a mortal wound and will die of a consumption." In the Federal Convention of 1787, which formed the Constitution, Mr. Ellsworth, of Connecticut, said, "Slavery in time will not be a speck in our country." Col. Mason, of Virginia, said, that slavery "brings the judgment of Heaven on a country." "He held it essential in every point of view that the General Government should have the power to prevent the increase of slavery." That is, he thought the prohibition of the slave-trade would prevent the increase of slavery.

Now with these views, it is less censurable that they should have consented to insert the clause for the return of fugitives; especially if they understood that clause to mean only what Mr. G. Mason, of Virginia, explained it in the Virginia Convention: "THIS ONLY MEANT THAT RUN-AWAY SLAVES SHOULD NOT BE PROTECTED IN OTHER STATES." And that this was their understanding seems at least probable from the fact, that when Mr. Butler and Mr. Pinkney, of South Carolina, moved "to require fugitive slaves and servants to be delivered up like criminals," the proposition was withdrawn; Mr. Wilson, of Pennsylvania, remarking that "this would oblige the executive of the State to do it at the public expense." Mr. Sherman, of Connecticut, "saw no more propriety in the *public* seizing and surrendering a slave, or servant, than a horse."

Previously to the formation of this Constitution, a slave escaping into a free State came under the *protection* of the State, and became *ipso facto*

free. This active protection they now agreed to waive for a time, but *not*, if the Virginian member was right, to assume an active agency in apprehending and returning the fugitive at public expense.

This then was the compromise as then understood. "For a time," said the free States, "we will forego our right to defend as free every man that treads our soil. We will simply not resist you when you come on your own risk to seize and carry back your slaves. But we will only consent even to this for a limited period, because we expect that the slave-trade will be abolished in 1808, and that slavery itself will then be exterminated." And if it had been proposed to the Federal Convention to insert a clause binding their posterity, for even fifty years, to deliver up by the public arm all fugitives, that clause would have been rejected; much more if it had been for all time. This compromise, then, has been carried out already farther than it was intended. It is now the paying of a twice-paid note or bond. The claim is fraudulent. And if the original agreement was wrong, how much more this exaggerated, usurious reduplication of its enforcement! Talk not of carrying out this compromise! Could the men that made it see what we are doing, and rise from their graves, they would cry out that we were utterly violating the compromise in its true spirit and intent as they understood it. The consent of free States to do eternally what their fathers blushed in consenting to do for a few years, brands both sire and son with ignominy. And every year that free States refrain from vindicating that freedom of the soil which they had before the Constitution was formed, and sinned in relinquishing, deepens the stamp of shame upon them.

4. But if the clause was wrong in origin, then every law under it, passed during the time of its contemplated operation, was equally wrong. Such was the law of 1793, which we insert as follows:—

"When a person held to labor in any of the United States, or in either of the territories on the north-west or south of the river Ohio, under the laws thereof, shall *escape* into any other of the said States or territories, the person to whom such labor or service may be due, his agent or attorney, is hereby empowered to seize or arrest such fugitive from labor, and to take him or her before any Judge of the Circuit or District Courts of the United States residing or being within the State, or before any magistrate of a county, city, or town corporate, wherein such seizure or arrest shall be made, and upon proof to the satisfaction of such judge or magistrate, either by oral testimony or affidavit taken before and certified by a magistrate of any such State or territory, that the person so seized or arrested doth, under the laws of the State or territory from which he or she fled, owe service or labor to the person claiming him or her, it shall be the duty of such judge or magistrate to give a certificate thereof to such claimant, his agent or attorney, which shall be sufficient warrant for removing the said fugitive from labor to the State or territory whence he or she fled."—*Ingersoll's Abridgment*, 310. *From Stroud's Sketch of the Laws of Slavery.*

Into the question of the constitutionality of this law we do not enter. In a case where the Constitution itself is wrong, constitutionality can

confer no validity. Constitutionality is, in such a case, only another name for iniquity. That the law of 1793 is wrong, and a stain upon our annals, cannot be for a moment doubted. The only apology that we can think of to urge in palliation, is the same that has been urged in reference to the compromise itself; weakened however in this, that as the year 1808 approached, in which it had been supposed Congress would prohibit the slave-trade, and so exterminate slavery, the less and less ground was there for such a law, and the more ought Congress to have been preparing to do away, rather than to perpetuate the original statute of national disgrace.

5. The same, then, would be true of the late law of Congress. If, as has been sometimes said, it were no worse than that of 1793, it would be bad enough. That which is no worse than wicked, is wicked itself. But the late law is worse, both in itself, and in view of the circumstances. The world is older, the nation more mature, (in years,) therefore we ought to be remedying the defects of our past legislation, not lending them new malignity. The time when the framers of our Constitution expected slavery to expire has long past,—and slavery has not expired, but extended itself beyond measure. That which Mr. Sherman called “a spot,” has spread its dark hue of deadly corruption over wide regions that our fathers never believed it would enter. The abolition of the slave-trade has taken place, but it has not operated as they thought it would to remove slavery; it has been succeeded by a domestic slave-trade as prolific and as detestable as its predecessor. Thus the legislation of 1850, to recapture fugitives, is immeasurably more shameful than that of 1793.

[I blush that our fathers should have framed, that Washington should have signed the latter, but I cannot believe they would have done it had they lived to our day. Much less can I believe they would have sanctioned a law whose provisions are so much more repugnant to right as are those of the law now under review.]

If the clause itself in the Constitution was wrong and sinful, if its perpetuation beyond the time intended was more sinful, if every law under it was additionally guilty, how much more a law that is not under it, nor according to it, but that with wholesale and high-handed barbarity dashes down every barrier of liberty and tramples with iron feet upon every safeguard of justice. A law which allows judges, or persons holding judicial power, to be appointed by our courts, when the Constitution says all judicial power shall be vested in the courts, themselves appointed by Congress. A law which virtually bribes those judges, every one, by five dollars bounty on every slave condemned, when the Constitution denounces bribery as a high crime. A law which denies to the defendant

a hearing in his own behalf, and makes an *ex parte* statement of the plaintiff conclusive. A law which denies to the freemen of the North the right of trial by jury—when the Constitution says no person shall be deprived of liberty without due process of law, and guarantees jury trial in any case not under twenty dollars in value. A law which forbids the decision of this spurious judge, this bribed judge, to be interfered with by any process of any court,—when the Constitution says the writ of Habeas Corpus shall never be suspended, except in rebellion, invasion, &c.* Is *this* the law that is to consecrate in new holiness that statute born in sin, brought forth in shame, and grown up to manhood in unwashed corruption?

What would James Madison and his noble compeers have thought of themselves, and their posterity, had they been told the day would come, when the sanction of their names should be invoked upon a law that bribes judges with a paltry five dollars for every man condemned to slavery; and fines every citizen a thousand dollars for giving that fugitive a supper and a bed? I think so well of those venerable men, (with all their faults,) that I believe they would have cut off their right hand and plucked out their right eye, before contributing one letter of their signature to a Constitution involving such results. I no more believe that a Congress of such men would have passed, or that George Washington would have signed such a bill, than they would have leagued with Benedict Arnold to betray their country. George Washington approve a law that bribes judges? George Washington sanction a bill that fines you a thousand dollars, for giving shelter and food to the fugitive from bondage? George Washington had known what it was to be a fugitive for liberty's sake. He had commanded an army of Continentals at the time when Great Britain called them rebels, and would have hung him if she could. Yes, and those rebels George Washington had seen hungry, ill-clad, marching in winter with bleeding feet over frozen ground—for what? Because they would not be slaves. Think you then that George Washington would have approved a law which for all time to come forbids us to feed and shelter and clothe other fugitives from a more ignoble bondage? Would Washington, in 1850, have denounced upon all who should “aid, abet or assist such persons, *directly* or INDIRECTLY, to escape,” or who should “harbor or conceal such fugitive,” a fine of a thousand dollars, and six months’ imprisonment? If anything could call spirits from their rest, and bid them break the mighty bonds of death, to stand and

* I am satisfied that the law itself does, if fairly construed, deny the Habeas Corpus. And all that has prevented or will prevent its being so construed and enforced, is the overwhelming burst of public indignation which the statement has produced.

speaking among the living, we might think it would be such an imputation as this, cast by his countrymen on the fair fame of Washington.

This law then is wrong in the sight of God and man—it is an unexampled climax of sin. It is the monster iniquity of the present age, and it will stand for ever on the page of history, as the vilest monument of infamy of the nineteenth century. Russia knows nothing like it. Hungary blesses God that *she* never suffered from anything worse than Haynau. And nations afar off pause awhile from their worship of blocks of wood and stone, to ask what will those Christians do next?

God from his throne, who beholds all the nations of the earth, looks down, and Christ who hungers and thirsts, is naked, sick, and in prison with one of the least of his brethren, looks down to see what gigantic culmination of guilt, what accumulation of shame and sin, is proceeding to its consummation; for I remark—

6. That there is yet one thing more guilty than the act of passing this law. There is yet one step wanting to render complete and awful in the sight of God our mighty guilt; and that step is obedience to the law. That is a sin even more exquisitely sinful than the making of the law itself, for two reasons: first, because it has the whole atrociousness of the law itself; and secondly, because it has the whole atrociousness of a stab at the freedom of conscience, and of private judgment.

If this law is obeyed, *what* does a Christian do, and *why* does he do it? I answer, he commits an act of piracy, and he does it because the law says so, and because he must obey the law right or wrong, as long as it is a law. These are the two elements of guilt in the obedience of this law: First, *what* it is; second, *why* it is. First, PIRACY; second, POPERY.

Why does any man imagine he ought to obey the law? What is the Jesuitical plea which is industriously inculcated by the high priests of Moloch and Mammon? It is because he wants to keep on the safe side, by obeying law. Because he is told that the proper way is to obey, until the law can be altered. Because he is told it is wrong to do right, unless the Government gives him leave—right to do wrong, whenever an aristocracy of politicians, and a hierarchy of office-holders, command. Because he pins his faith on the sleeve of Government, and makes Congress his pope, cardinals, and holy college of Jesuits, to act the part of infallible interpreter for him, of the Bible and of duty. This is the reason, and the only reason why he obeys. The law says so, and the law must be obeyed, right or wrong, till it is altered. Argument always used by Jesuits and despots, on weak consciences, and weaker brains. Argument first begotten of Satan, Father of Lies.

Let us picture to ourselves for a moment what is really contained in obedience to this law.

It is a Sabbath evening. It is winter, and the snow is on the ground, and the winds are out, filled with driving snow. You have just come from the communion table, with the taste of the bread and the touch of the wine upon your lips. The memory of Jesus thrills yet within your soul. You seem to hear those strange mysterious words: "This is my blood shed for you—This is my body broken for you." When, hark—upon the wild winter blast, a faint low cry meets your ear; a faint foot-step approaches your door; a timid hand smites against your lintel. You rise from before your blazing fire, and look out into the night.

Feeble with hunger, ragged, with naked feet, pressing to her bosom a pining infant, a mother totters before you, just sinking to the earth. "For the love of Jesus," she cries, "grant me a hiding place from my pursuers! Grant me a morsel of food! Save me, save my child, from a fate worse than death!"

That suppliant has known Jesus, as well as you, and has, like you, tasted the sacred bread and wine. And she flies, a child of God, and an heir of heaven, she flies from a master, and from a system that would sink her to the depths of shame and licentious degradation.

What does this law require of you? What must you do, to *obey* this law? What is *obedience* to law? You must shut your door in her face, or you must take her captive, and shut her up until the hounds of officers can come up.

This is obedience; and if you do not do this you are a law-breaker. If you give her a crust of bread, you break the law. If you give her a shawl, a cloak; if you let her warm herself by your fire an hour, and depart, you break the law. If you give her a night's rest, and let her go, you break the law. If you show her any kindness, any mercy, if you treat her as Christ treated you, if you do to her as you would wish to be done by, you have broken the law.

Therefore you say to her, "My dear sister, I am sorry for you, but I cannot help you. If I let you in, I must keep you, and send for the officer; but I cannot help you any—the law says I must not, and my conscience will not let me disobey. Had you not better come in, and stay and be caught? Or would you rather go on?"

"Stay?—be caught?" groans the wretched mother. "No, never! Rather let me die! Rather let me lay my child cold and stiff in the snow-wreath, for there at least we shall be free. There, at least,

‘The wicked cease from troubling,
And the weary are at rest.’
‘There we shall sleep quietly together,
And hear not the voice of the oppressor.’”

She staggers away, her child uttering a faint moan. You shut your

door, and sit down to read your Bible, saying, "Well, I have kept on the safe side; I have *obeyed* the law of my country." If it be objected that this is an extreme case, I deny it; the law makes no exceptions. *This* and nothing short of this, the law requires.

Here then is the sinfulness of obedience, viewed in the act itself; and I say, and every heart feels to-night, that that sinfulness partakes of the guilt of murder. "He that seeth his brother suffer need, and shutteth up his bowels of compassion from him, how dwelleth the love of God in him?" "He that *hateth* his brother is a murderer, and ye know that no murderer hath eternal life abiding in him." And the act of obedience to this law is of its own nature murderous, malignant, and devilish.

But this is only one element of the guilt of obedience; the other element is the sacrifice of the right of private judgment, and of liberty of conscience.

"I know it is wrong, abstractly considered," you say; "but the law says so, and I must do it till the law is altered. True, it seems to me wrong, but what right have I to set up my judgment against the law? True, it seems to me that this law conflicts with the golden rule, on which hang all the Law and the prophets, and nullifies all principles of honor and humanity, but what right have I to follow my own private impressions of right against the laws of the land? What right have I to say I will obey the laws of the land just so far as they coincide with my ideas of right, but when they do not, I will break them? If everybody should do so, would it not put an end to all law, and disorganize society? No, no; I must try to get this law repealed, but in the meanwhile I must keep it, even if it command me to violate every principle of the Decalogue." Here is the stereotyped argument for all such cases made and provided, which has been used by civil and religious despotism in all ages. First pass a law that compels men to violate conscience, and then drive them to keep it by conscience. The worst of it is that these profligate preachers of integrity cheat their hearers by a fallacy, a falsehood so slyly slipped in, as to escape detection. They misrepresent the whole position of conscientious men. They represent us as if we claimed the right to violate any law that might happen not to suit our convenience, or our notions of propriety. They say that our claim of the right to violate *one* law, which we consider wrong, is a warrant for the violation of *all* laws, right or wrong. Now, this is a false conclusion. It represents us as confounding the distinction between laws which are simply *injurious* or inexpedient, and those which are positively sinful.

I may disapprove a law, I may think it unwise, injudicious, and even unjust in its bearings on me, and on my interests, and yet it may not

require me to *do anything* positively wrong. I may submit to such a law, innocently, because I wrong nobody. But here is a law which commands me to *sin* positively and without apology. It commands me, when fully obeyed, to deny Christ, to renounce and abjure Christ's law, to trample under foot Christ's Spirit, and to remand Christ's flesh and blood into cruel bondage.

A law which does me some injury is one thing. A law which makes me do wrong is another. The first I may submit to while seeking its repeal. To the latter I must not give place by subjection, no, not for an hour. I must resist unto blood, striving against sin, i. e., to the patient shedding of my own blood. Hence, to disobey such a law does not disorganize society. It does not unsettle law.

The men that refuse obedience to such laws are the sure, the only defenders of law. If they will shed their own blood rather than sin by keeping a wicked law, they will by the same principle shed their blood rather than break a law which is righteous. In short, such men are the only true law-abiding men. For they never break a law, except when they see that to keep it would be to violate *all* law in its very foundation, and overturn the very government of God; while those men who clamor for blind obedience to all law—right or wrong—are striking at the throne of God.

Hence, the principle involved in this discussion is not new. The question now is about obeying the law which repeals the golden rule, and attaches a fine of one thousand dollars for doing as we would be done by. Formerly the same question, in principle, was tried and fought out, on worshipping the Virgin, or burning incense to idols, or some other act of idolatry. The form only is changed. The principle remains the same. The parties contending are called by other names, but their spirit, maxims, and arguments, are the same. The one party has in all ages been the party of office-holders, both in Church and State—the crown and mitre. The other party has been the individuals of the common people who feared God.

Pharaoh and his court framed a law commanding the Hebrew midwives to cast the Jewish infants to the alligators of the Nile. In this they were almost as cruel as our Congress in commanding us to throw the fugitive mother and her child to the blood-hounds of the hunters of human game. Pharaoh and his court used the same arguments that the party they typify are now using. The midwives feared God, disobeyed the law, and the Scripture says, God blessed them for it. So do we disobey this worse law of our American Pharaohs, and expect God to bless us for it.

Nebuchadnezzar and his lords, and council of state, represented the

same party and principles, when he made a law that whoever would not worship the golden image should be cast into a furnace. What right had a citizen of Babylon to break that law, because he happened to think it was wrong? Much less, what right had three contemptible slaves,—three despicable Jews,—lawful captives of the State,—to set up their notions against the Majesty of the Golden City? Yet the three captives, Shadrach, Meshach, and Abednego, told the king to his face that they would not obey his law. “Be it known unto thee, O king, that we will not serve thy gods, nor worship the golden image which thou hast set up.”

So the same principles were tried in the case of the edict on prayer. A law of the Medes and Persians, which changes not, was framed, that no man for thirty days should pray, save to the king. What right had the Secretary of State to set up his notions of propriety against the law? Was it not his duty to submit, and wait till the thirty days were out and the law repealed, just as they want us to wait till the next session of Congress? Had some of our Daniels been there, doubtless they would have taken the crown view of the subject. But there was a Daniel there of a different spirit and different principles. He took exactly our view of the matter. He went home and broke the law three times a day; and when he was thrown into the den of lions, God wrought a miracle to show his approbation of his course.

The same principles precisely were tried over again in the life of Christ. The Senate had made certain laws which this Galilean carpenter's son thought conflicted with the higher law of God. Those laws were not half so bad as this law of an American Congress, yet Christ broke them without scruple. Moreover, the Jewish State was a form of government directly instituted by God, even more than our own, so that if ever there was a case where the private citizen had no right to disobey for conscience sake, it was there. What right had this carpenter's son, this Galilean, to come up to the metropolis, and begin to talk to the Congress about a higher law? What right had he to tell those hoary rulers that they made void the law of God by their tradition, and taught for commandments the ordinances of men? Yet Jesus did this—he persisted in doing this; and when it came to the test whether he would obey them or God, he let them crucify him rather than yield. And God justified him in so doing by raising him from the dead.

The party that crucified Christ, and the party that are now ready to put to the bayonet all who disobey this wicked law, are one and the same; their maxims, spirit, arguments, and policy, are the same. And their fate will be the same.

The same principle was tested again by the apostles after Christ's ascension. The Jewish Congress thought that there was too much agi-

tation. They thought that those fanatic fishermen were incendiaries, stirring up tumult, and tending to dissolve the Union of the State "They seek to bring this man's blood upon us." So they arrested them, and after hearing the opinion of a certain very wise man, a lawyer, and a great expounder of the Jewish Constitution, named Gamaliel, finally concluded to scourge them, and to pass a law that there should be no more agitation, and that they should not preach Christ.

So great expounders of our Constitution now say that we must obey the law, and not ask whether it is right or wrong.

The principle is the same. Corrupt men, banded together to enforce ungodly laws, are one and the same in Jerusalem or in Washington, in the year 50, or 1850. Peter's answer then, is our answer now: "Whether it be right in the sight of God, to hearken unto you more than unto God, judge ye." And they went out and broke the law as fast as they could; and God showed his approbation by pouring out his Spirit, and the number of believers was multiplied.

The same principle was at stake between the same contending parties, when Christians came in collision with the laws of the Roman Empire. On the one side were laws commanding incense to idols; on the other were single citizens, rude and illiterate, who thought the law of the empire wrong. They disobeyed. What right had they to disobey? The great expounders of Roman law looked down on them with infinite contempt. Here are a parcel of tinkers, and cobblers, and weavers, who pretend to believe in a certain dead man, Jesus, who they say is alive, and dare to set up their notions against the law of the whole world. And they cast them to the lions. Even so they would do now if they dared, these ungodly men in high places—they would cast to the lions all who dare to balk their schemes of ambition and despotism.

The same principles were fought over again in Germany by Luther and his compeers. On the one side was the Roman Church and State, with laws which Luther thought commanded him to sin. What right had he to think? Had not Mother Church done all the thinking for all her children? What business had he to set his private judgment against the law of the Holy Roman Empire? Against this principle Luther protested, and appealed to God, and a law higher than the law of Popes, cardinals, and kings. And from that solemn protest, all of like spirit have borrowed the name Protestant. And although scornful prelates affect not to know exactly what Protestantism is, we can tell them. It is not any particular theological dogma, or creed, but it is, first and foremost, the protest against the obligation of bad laws. It is the assertion of the duty to disobey all laws that nullify the law of God, and affix a penalty to the golden rule. That is Protestantism. And this law which is now being

debated, is like an unexpected talisman, or charm, working unforeseen disclosures, and showing us where we are, and how far the men of our generation have drifted from Protestantism. Archbishop Hughes tells us that Protestantism is declining. I can respond to the sentiment: Nay, more; if the views of the advocates of this law, in Congress and out, are to prevail, Protestantism is dead and buried, and past resurrection, but by the mighty power of God, and a new reformation struggle.

But the last illustration of this principle I shall mention was in England. Our Puritan fathers, the Pilgrims, were on one side, and the King, the aristocracy, and the Established Church on the other. The popular party always maintained that wicked laws must be disobeyed, while the party in power claimed that they had no business to set up their opinion against the authority of the realm. It was because our ancestors held this ground, just as we now hold it, that New-England was founded. It was because these principles were dearer than life, that they broke the laws of Great Britain, threw the tea into Boston Harbor, and lit the fires of revolutionary war on the plains of Lexington and Concord. But, little as we may seem to suspect it, it is the same parties that are contending for the same principles, at the present hour.

There are two great races, mixed, yet struggling against each other, in the American people—the Anglo-Saxon and the Norman. The Saxon has ever been democratic, the Norman aristocratic in spirit. Now, says Dr. Baird, “If not purely Norman in blood, the Southern colony was entirely Norman in spirit; whereas the Northern was Anglo-Saxon in character, and the institutions it took to the New World. Both loved freedom and free institutions; but they differed as to the extent the people should enjoy them. The one had sprung from the ranks of those in England who pleaded for the prerogatives of the crown, and the privileges of the nobility; the other from the great party that was contending for popular rights.”

Thus from the earliest ages down to the present hour, the battle has raged between two parties, and only two, about one and the same principle. Shall I obey a law which my conscience condemns as nullifying the law of God? Pharaoh, Nebuchadnezzar, the Pharisees, the Pope, the Norman aristocracy, Congress, and the devil say you shall. But Moses,* and Daniel,† and the prophets, and Christ, and his apostles, and the martyrs, and our pilgrim fathers, and God Almighty, say you shall not. “Ye ought to obey God rather than man.”

He therefore who in this hour of new trial, when old principles are being assailed under new forms, old parties fighting under new disguises—

* Not Stuart.

† Not Webster.

he who obeys this wicked law because it is law, has the double guilt, not only of the thing itself done, which is diabolical, but also of proving traitor to the cause of liberty of conscience and of the right of private judgment, and of going over to the side of Antichrist.

It is a complete shipwreck of every principle of religious liberty for which our fathers ever contended; it is a bare-faced dereliction of every position of the Reformation, and a giving up of every thing which as Protestants and as republicans we have ever held dear. If this law is to be obeyed merely because it is law, no matter how diabolical its spirit, then farewell to liberty, farewell to religion. There is henceforth no barrier to the encroachments of corruption. Men of debauched character may buy the votes of demagogues and worm their way to Congress, and, with unabashed front of infidel licentiousness, ordain by law whatsoever iniquity they please, and we must obey, and never question. If they may repeal the golden rule to-day, and fine me for obeying Christ, and doing to the fugitive as I would be done by, they may repeal the decalogue to-morrow, for the golden rule and the decalogue are one. They may strike down the Sabbath, close all Protestant churches, forbid us to read the Bible, or command us to worship the Virgin, or the golden image of Nebuchadnezzar, and we must not dare to disobey.

If this law must be obeyed, then are we a nation of slaves; Congress is an infallible hierarchy—an infallible corporation of political pontiffs, whose doctrines we must believe or die.

If we must have such a despotism, let us send to Rome, and have the Pope at once. Let us at least have a despotism that has antiquity to recommend it. Let us bow and kiss the great toe of His Holiness, if indeed we must kiss the toe of any man living. Let us give up the hollow, lying pretense of freedom of speech, and the right of private judgment, and sit down with Austria, and Spain, and Italy, in blind submission at the feet of the successor of St. Peter.

Such is the consistent carrying out of the principles of those who profess to be ready to enforce or obey this ungodly law. They are not republicans, they are not Protestants, they are not patriots. They are the representatives of despotism in both Church and State, and the enemies of their country. In vain do they seek to delude themselves and us, by the pretense that they are the strong defenders of law. They cannot so shelter themselves. The brindled hide of the wolf will not be covered by this flimsy fleece. This wolf's wool is cotton. They clamor for law while annihilating law at its very source. Let them cast off disguise. Let them cease to shuffle behind masks. Let them come out openly and above board, that we may know them for the anti-republicans, the anti-Christians that they are. Let them forswear Christ, and bow the knee to

Baal, not covertly, not adroitly, but with open and divulged effrontery; then shall we rate them where they belong, with the minions of mitred prelates and the sycophants of imperial despots. Thus shall their position and malign influence be appreciated by a discerning people, and their character and their power expire together.

For the righteousness of the principles advocated in this discourse, which are not *our* principles alone, but our fathers'—not our fathers', but the principles of the Reformation, nor yet of the Reformation only, but of the people of God in all ages, I appeal first to the conscience and instinctive sense of right in every breast. But should these be found perverted, and warped to render false verdict, then I appeal to that Supreme Arbiter who shall judge the world in righteousness. Before his impartial tribunal the makers, the abettors, and all the apologists of this law must stand. There their deeds, their principles, and their words, shall be tested by their intrinsic righteousness or unrighteousness. Then no considerations of policy, no suggestions of interest, no blinding deceits of ambition, no sophistry or cunning intrigues will avail to balk the settlement of things according to eternal and immutable principles of right. There the last shall be first, and the first last. There those that have defended absolute right against the current of a corrupt and adulterous generation, shall be acquitted and honored as the true servants of God; while those who have succumbed to the base maxims of the world, those who have sacrificed high intuitions of right for sordid calculations of temporary expediency, those who are corrupt, who set their mouth against the heavens, whose tongue walketh through the earth, speaking wickedly concerning oppression, shall be eternally disgraced, before the face of God and an intelligent universe.

In conclusion, therefore, my application of the subject is—**DISOBEY THIS LAW.** If you have ever dreamed of obeying it, repent before God, and ask his forgiveness. I counsel no violence. I suggest no warlike measures of resistance. I incite no man to deeds of blood. I speak as the minister of the Prince of Peace. As much as lieth in you, live peaceably with all men. To the fugitive, touching the question of self-defense, I offer no advice, as none can be necessary. The right of self-defense is unquestionable here, if ever. Of the expediency of its exercise, every man must judge for himself. I leave the question of self-defense undiscussed, to the settlement of every man's own judgment, according to circumstances.

But if a fugitive claim your help on his journey, break the law and give it him. The law is broken as thoroughly by **INDIRECTLY** aiding his escape as **DIRECTLY**, for both are penal. Therefore break the law, and help him on his way, *directly* if you can, *indirectly* if you must. Feed

him, clothe him, harbor him, by day and by night, and conceal him from his pursuers and from the officers of the law. If you are summoned to aid in his capture, refuse to obey. If you are commanded by the officer to lay hands on the fugitive, decline to comply; rather, if possible, detain the officer, if you conveniently can, without injury to his person, until the victim is clean gone. If for these things you are accused and brought to trial, appear and defend yourself. If asked how you dared disobey the laws of this realm, answer with Bunyan's Pilgrim in Vanity Fair: tell the court that you obey Christ, not Belial. If they fine you, and imprison you, take joyfully the spoiling of your goods, wear gladly your chain, and in the last day you shall be rewarded for your fidelity to God. Do not think any true disgrace can attach to such penalties. It is the devil, and the devil's people only, who enact, enforce, or respect such penalties. If you are disgraced, it is the disgrace that Washington bore when he was called a rebel, and it is inflicted on you for the support of a cause and of principles as holy as his.

You will suffer with Wickliffe and Huss, with the Albigenses and Huguenots, with the early Christian martyrs, with the Apostles, and Jesus their head; and with that mighty army of still more ancient worthies, who were stoned, sawn asunder, and of whom the world was not worthy. With them to suffer is honor; with them to be defamed, reviled, and spit upon, is glory. With them to rise and reign eternally, will be ample reward.